

# MINUTES

## Colorado State Board of Dental Examiners

### OPEN - FULL SESSION

July 8, 2010 8:05 a.m.

1560 Broadway, Suite 1250 C

Denver, CO 80202

## I. CALL TO ORDER

**MEMBERS PRESENT:** F. Robert Murphy, DDS, Board Chairperson; Elizabeth Thompson, RDH, Board Vice-Chairperson; Brian Davidson, MD; Eve Bluestein, MD, DDS; Peter Carlesimo, DDS; Annette Isenbart, RDH; Duane Takaki, DDS; Paulette Porzio-Dilizia, DMD; and Lisa Herder, RDH

**MEMBERS ABSENT:** Steven A. Tilliss, DDS, MS; G. Garo Chalian, DDS; Melanie Names, JD; and Noble Wallace

**STAFF PRESENT:** Maulid Miskell, Program Director; Catherine Shea, Assistant Attorney General; Abigail Gaskins, Compliance Monitor; and Jessica Lehew, Complaint Specialist

## II. MINUTES

A motion was made, seconded and carried to **accept** as amended the January 21, 2010 Full Board Minutes.

A motion was made, seconded and carried to **accept** as written the April 21, 2010 Full Board Minutes.

## III. REPORTS

### PROGRAM DIRECTOR

Verbal presentation given by Maulid Miskell, Program Director regarding legislative updates and proposed rules and policy revisions for the October meeting in response to House Bill 10-1128; 10-1175; and Senate Bill 10-124, as well as a plan to update the remaining rules and policies.

Mr. Miskell discussed with the Board ideas on improving their infection control rule and inspection process.

Mr. Miskell received clarification for the Board on the delegation of the administration of anesthesia to trained personnel.

Mr. Miskell reported that the fiscal year 2011 Travel Plan was approved.

AADB Meeting – F. Robert Murphy, DDS was appointed to represent Colorado at this meeting.

AADB Midyear Meeting & Joint Commission – Maulid Miskell, Program Director and a Board Member were approved to attend. Eve Bluestein, MD, DDS was appointed to represent the Board at this meeting.

ADEX Meeting – G. Garo Chalian attended the June 26<sup>th</sup> meeting and will provide a report in October. The Board tabled discussion on appointing representative to attend the ADEX Exam Review committee and Steering Committee meetings.

Elizabeth Thompson, RDH was approved to represent Colorado at the Steering Committee Meeting.

CRDTS Exams – Thirteen exam dates have been approved for various Board members to attend as exam instructors.

CDA Presentation – On June 12, 2010, Maulid Miskell, Program Director and Elizabeth Thompson, RDH presented to 9 participants regarding the Board and are awaiting feedback.

Mr. Miskell addressed status of program being understaffed.

COMOM – Maulid Miskell, Program Director and staff will volunteer at this year's COMOM in Colorado Springs on October 1-2, 2010.

### BOARD CHAIRPERSON

Verbal presentation given by F. Robert Murphy, DDS, Panel Chairperson regarding scheduling of hearings being farther out due to the shortage of ALJs. Dr. Murphy acknowledged Elizabeth

Thompson, RDH and Maulid Miskell for their CDA presentation in Crested Butte, the Office of the Attorney General for attending to backlogs, and Board Staff for their hard work due to the budget constraints and being understaffed. Dr. Murphy also congratulated Brian Davidson, MD on his engagement, Lisa Herder, RDH on her marriage, and Sue Kim on her new baby.

## **PROFESSIONAL ASSOCIATIONS**

- AADB –** 127th Annual Meeting – **Board noted.**  
Board Action Report - May 2010 – **Board noted.**  
Newsletter – **Board noted.**
- ADA –** Survey – A motion was made, seconded and carried to **table** this item and address at the October meeting.  
CIE Communication Memo – **Board noted.**
- AGD –** Transcript April 2010 – **Board noted.**
- CRDTS –** ADA Delegates – **Board noted.**  
CRDTS meeting – **Board noted.**  
Notice of Annual Meeting – **Board noted.**
- DANB –** Summer 2010 Newsletter – **Board noted.**

## **PEER ASSISTANCE**

- PAS –** Reports memo – A motion was made, seconded and carried to **approve** the modifications.  
Article April 26, 2010 about Dr Kessler – **Board noted.**  
Article When Dentists Do Drugs March 2010 – **Board noted.**

## **SIGNED STIPULATION/FINAL AGENCY ORDERS; CEASE & DESIST ORDERS; UNCONTESTED LETTERS OF ADMONITION AND CLOSURE OF STIPULATIONS**

**Board noted.**

### **SIGNED STIPULATIONS/FINAL AGENCY ORDERS** (April 1, 2010 through June 28, 2010)

#### *1. Signed Stipulations and Final Agency Orders*

- |   |                 |                   |
|---|-----------------|-------------------|
| BECK, Jim K DDS   | License #104952 | Case #2008-003689 |
| Stipulation and Final Agency Order, effective June 23, 2010 |                 |                   |
| QUIGLEY, John W DDS   | License #3000   | Case #2010-000917 |
| Stipulated Letter of Admonition, effective June 15, 2010    |                 |                   |
| TANEJA, Puja DDS  | License #9127   | Case #2008-001617 |
| Stipulated Letter of Admonition, effective June 9, 2010     |                 |                   |
| THERIOT, Roy DDS  | License #105385 | Case #2008-002627 |
| Stipulated Letter of Admonition, effective May 25, 2010     |                 |                   |
| VIDAL, Peter DDS  | License #104851 | Case #2009-003600 |
| Stipulation and Final Agency Order, effective May 7, 2010   |                 |                   |
| ZIMMET, Neil DDS  | License #7897   | Case #2008-002640 |
| Stipulated Letter of Admonition, effective June 11, 2010    |                 |                   |

#### *2. Cease and Desist Orders*

- |   |            |                   |
|---|------------|-------------------|
| KUCERA, Kenneth                                 | Unlicensed | Case #2010-000989 |
| Cease and Desist Order, effective April 1, 2010 |            |                   |

*3. Summary Suspensions and Interim Cessation of Practice Agreements*

POCZATEK, Sharon DDS                      License #105193                      Case #2010-001097  
Interim Cessation of Practice, effective April 23, 2010, vacated May 6, 2010

SCHLAGEL, Gregory DDS                      License #104342                      Case #2010-004080  
Summary Suspension, effective May 3, 2010, stayed May 18, 2010

SCHLAGEL, Gregory DDS                      License #104342                      Case #2010-004080  
Interim Cessation of Practice, effective May 18, 2010

WITZEL, David DDS                      License #4402                      Case #2010-004086  
Interim Cessation of Practice, effective May 5, 2010

*4. Stipulation in Abeyance*

MAUGHAN, Kenneth DDS                      License #8719                      Case #2008-002081  
Stipulation put into Abeyance, effective June 2, 2010

UNCONTESTED LETTERS OF ADMONITION and CLOSURE OF STIPULATIONS  
(April 1, 2010 through June 28, 2010)

*1. Uncontested Letters of Admonition*

ALLAIRE, Denise RDH                      License #201249                      Case #2010-003218  
Stipulated Letter of Admonition, effective May 11, 2010

BOIES, Laurie RDH                      License #1036                      Case #2010-003219  
Stipulated Letter of Admonition, effective April 9, 2010

BROWN, Sharon RDH                      License #200348                      Case #2010-003205  
Stipulated Letter of Admonition, effective April 9, 2010

FISCHER, J. Anthony DDS                      License #7775                      Case #2008-000171 &  
2007-001826  
Letter of Admonition, effective April 9, 2010

KOWALCHUK, Gregory DDS                      License #237                      Case #2009-000166  
Letter of Admonition, effective May 25, 2010

WHEELER, Richard DDS                      License #3689                      Case #2010-001438  
Letter of Admonition, effective April 1, 2007

*2. Closed Stipulations*

(April 1, 2010 through June 28, 2010)

ELLINGSON, Gary DDS                      License #3560                      Case #2007-000286  
Stipulation and Final Agency Order, closed on June 2, 2010

HASSELBACK, Christopher DDS                      License #8470                      Case #2009-000103  
Stipulated Letter of Admonition, closed on June 2, 2010

PATIN, Ania RDH                      License #200814                      Case #2009-002542  
Stipulation and Final Agency Order, closed on April 22, 2010

TIMLIN, Scott DDS                      License #7863                      Case #2007-001610  
Stipulation and Final Agency Order, closed on June 3, 2010

TOMLINSON, Kathy DDS                      License #8412                      Case #2007-001578  
Stipulation and Final Agency Order, closed on June 3, 2010

*3. Closed Stipulations from January meetings (not on previous report)*

DAVIS, Caroline RDH                      License #200363                      Case #2009-002395  
Stipulated Letter of Admonition, closed on January 20, 2010

DICK, Clyde DDS License #3097 Case #2008-0000036  
Stipulation and Final Agency Order, closed on January 20, 2010

MUSOLF, Melissa DDS License #7600 Case #2007-001655  
Stipulation and Final Agency Order, closed on January 21, 2010

WARD, Daniel DDS License #8602 Case #2008-001348 &  
2008-001349  
Stipulated Letter of Admonition, closed on January 21, 2010

### **MISCELLANEOUS**

Kentucky Dental Board Newsletter – **Board noted.**

Online OSHA training – The Board declined to rule on this inquiry and provided guidance to staff to respond.

Josef Silny & Associates – **Board noted.**

Anesthesia Application Review Committee – A motion was made, seconded and carried to **table** the applications for Dr. Betty Barr, Daniel Foley, Erik Mathys, Mark Lucas, Natalie Jean Schafer, Brett Wallen, and Jennifer Marie Wallen and to recruit more applicants for the positions by creating a cover letter and identified areas for consideration. Maulid Miskell, Program Director will work with the CDA to get this information out to the licensed community.

**IV. ADJOURNMENT:** The July 8, 2010 Open Full Board meeting of the Colorado State Board of Dental Examiners adjourned at 10:33 a.m.. The next meeting will be conducted on October 20, 2010 beginning at 1:00 p.m. in Ste. 1250 C.

*F. Robert Murphy, DDS*  
**F. Robert Murphy, DDS**  
**Board Chairperson**

*February 16, 2011*  
**Date**